

Amendments to the Drawings

Replacement Sheets for Figures 5 and 7 have been submitted to correct typographical errors.

REMARKS

Claims 1, 2, 4, 6, 11, 15-17, 19, 24, 27, and 28 are pending.

At the outset, Applicants would like to thank the Examiner for graciously extending Applicants' representative an interview to discuss the rejections in the Final Office Action. During the interview, differences between the embodiments disclosed in the specification and the cited references were discussed. These differences were then linked to features recited in the presently pending claims. A detailed discussion of these differences is set forth below. At the conclusion of the interview, the Examiner indicated that the decision concerning the patentability of the claims would be postponed pending consideration of this paper.

Claim 1 has been amended to emphasize that the first data block is retransmitted "only" through the second one of the plurality of antennas. During the interview, these features were distinguished from the Ohashi patent, which discloses repeatedly retransmitting data through sequentially changed combinations of the antennas. (See column 12, lines 43-46). Thus, unlike claim 1, Ohashi retransmits data received in error through multiple antennas multiple times, wherein claim 1 retransmits the data block through only one antenna different from the antenna through which the data block was originally transmitted.

Claim 1 also recites that the resuming step includes: "transmitting a third data block through the first one of the plurality of antennas and thereafter a fourth data block through the second one of the plurality of antennas after acknowledgment signals are respectively received for the third and fourth data blocks." (See, for example, Figure 5 of the application drawings for support). These features are not taught or suggested by the cited references, e.g., the Hiramatsu

and Weerackody patents disclose switching antennas during data transmission. However, neither patent teach or suggest resuming transmission of new data blocks through an alternate pattern of switched antennas after retransmission of a previously transmitted data block occurs. The remaining references of record also fail to teach or suggest these features.

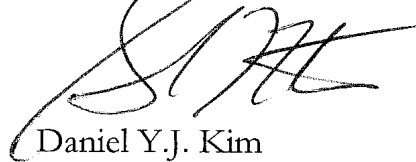
Claim 1 also recites that “transmission and retransmission of the data block occurs through a mobile communication system, and wherein an open loop transmit diversity technique is used to transmit data in the mobile communication system and the open loop transmit diversity technique is a TSTD (time switched transmit diversity) technique.” As discussed during the interview, none of the references of record teach or suggest these features, whether taken alone or in combination.

Based on these differences, it is respectfully submitted that claim 1 and its dependent claims allowable over the cited references, whether taken individually or collectively. The remaining independent claims recite one or more of the features which patentably distinguish claim 1 from the cited references. Furtherance of these claims to allowance is also respectfully requested.

Withdrawal of the rejections in the Final Office Action is requested in view of the foregoing amendments and remarks. Favorable consideration and timely allowance is respectfully requested.

To the extent necessary, a petition for an extension of time under 37 CFR § 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this, concurrent and future replies, including extension of time fees, to Deposit Account 16-0607 and please credit any excess fees to such deposit account.

Respectfully submitted,
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